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JUN 18 2007  
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DISTRICT OF HAWAII

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

FILED

JUN 14 2007  
CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS

QK HOTEL, LLC, a Hawaii LLC,

No. 06-17219

Defendant,

and

KG HOLDINGS, LLC; et al.,

Defendants - Appellants,

v.

SPORTS SHINKO CO., LTD., a Japanese corporation in reorganization, through Keijiro Kimura, its Deputy Trustee,

Plaintiff-third-party-defendant - Appellee,

and

FRANKLIN K. MUKAI,

Defendant-third-party-plaintiff,

v.

SPORTS SHINKO (US) CO., LTD., a Delaware corporation,

Third-party-defendant - Appellee.

D.C. Nos. CV-04-00124-ACK  
CV-04-00125-ACK  
CV-04-00126-ACK  
CV-04-00127-ACK  
CV-04-00127-ACK  
CV-04-00128-ACK

District of Hawaii,  
Honolulu

ORDER

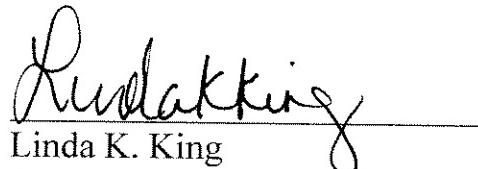
No. 06-17219

The parties stipulation to voluntarily dismissal of this appeal without prejudice is denied. *See USA v. Arevalo*, 408 F.3d 1223 (9th Cir. 2005).

Within 30 days after the date of this order, appellant shall file the opening brief. The answering brief is due 30 days after service of the opening brief. The optional reply brief is due 14 days after service of the answering brief.

For the Court:

CATHY A. CATTERSON  
Clerk of the Court

  
Linda K. King  
Deputy Clerk  
Ninth Cir. R. 27-7/Advisory Note to Rule 27  
and Ninth Circuit Rule 27-10

pro 6.4